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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,376	02/06/2002	Chris J. Wendel	077077-9140-00	2563

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EXAMINER

SAFAIPOUR, HOUSHANG

ART UNIT PAPER NUMBER

2622

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/072,376	<b>Applicant(s)</b> WENDEL, CHRIS J.	
	<b>Examiner</b> Houshang Safaipoor	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 and 12-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 12-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____  | 6) <input type="checkbox"/> Other: ____                                     |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 9, 2004 has been entered.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5, 12-14, 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Murata et al. (U. S. Patent No. 4,518,249).

Regarding claim 1, Seymour et al. discloses a camera assembly for use in scanning a paper substrate of a printing press, said assembly comprising:

a housing (fig. 2);

camera mounted within said housing (fig. 2, col. 4, lines 14-19);

a light source mounted within said housing (Fig. 2, light source 38); and

two mirrors positioned within said housing and positioned symmetrically with respect to a plane that is perpendicular to the paper substrate of the printing press to direct light in two distinct paths from said light source to the paper substrate (fig. 3(a), col. 6, lines 3-12).

Regarding claim 2, Seymour et al. discloses the camera assembly of claim 1 wherein said camera is a CCD type Camera (col. 5, lines 25-39).

Regarding claim 3, Seymour et al. discloses the camera assembly of claim 1 wherein said light source is a strobe type light source (col. 6, lines 21-27).

Regarding claim 5, Seymour et al. discloses the camera assembly of claim 1 where the mirrors are positioned on each side of the light source (fig. 3a).

Regarding claim 12, arguments analogous to those presented for claims 1 and 3 are applicable to claim 12.

Regarding claim 13, arguments analogous to those presented for claim 1 are applicable to claim 13.

Regarding claim 14, arguments analogous to those presented for claim 3 are applicable to claim 14.

Regarding claim 16, Seymour et al. discloses the method of claim 13 wherein each light path has an illumination intensity that is substantially the same (fig. 3a).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 15 and 17-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seymour et al. (U.S. Patent No. 5,724,259) and further in view of Murata et al. (U.S. Patent No. 4,518,249).

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Regarding claim 4, 15 and 20, Seymour et al. does not disclose a flat mirror. Murata et al. discloses a reflector and a flat mirror. Therefore it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to combine Semour's apparatus with that of Murata to further improve the uniformity of illumination.

Regarding claim 17, Seymour et al. does not disclose single light source. Murata et al. discloses a single light source, a reflector and a flat mirror. Therefore it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to combine Semour's apparatus with that of Murata to enhance the invention.

Regarding claim 18, arguments analogous to those presented for claim 3 are applicable to claim 18.

Regarding claim 19, Seymour al. discloses the method of claim 17 wherein said at least two mirrors is two mirrors (fig. 3a).

Regarding claim 21, Seymour et al. does not disclose Xenon strobe bulb. However, Murata discloses this type of bulb (col. 3, lines 54-58).

Regarding claim 22, arguments analogous to those presented for claim 4 are applicable to claim 22.

Regarding claim 23, arguments analogous to those presented for claim 1 are applicable to claim 23.


***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (703)306-4037. The examiner can normally be reached on Mon.-Thurs. from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles, Sr. can be reached on (703)305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Houshang Safaipoor  
Patent Examiner  
Art Unit 2622  
April 27, 2004

  
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